

Notice of Allowability

Application No.

09/634,140

Examiner

Raymond B. Persino

Applicant(s)

CROWLEY ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 7/21/2004.
2. ☒ The allowed claim(s) is/are 16-22,26-39 and 41-44.
3. ☒ The drawings filed on 08 August 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☒ to Paper No./Mail Date 4.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT AND STATEMENT OF REASONS FOR ALLOWANCE

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Don Halgren on 9/26/2004.

The application has been amended as follows:

41. (examiner's amendment) A method of providing wireless communication to a personal communication device in an rf restricted environment, said personal communication device having a radiative antenna, said method comprising;

providing a personal communication device with a radiative antenna;

providing a first coupler antenna within said rf restricted environment;

[connecting said first coupler antenna to a second antenna associated with and arranged outside of said rf restricted environment;]

connecting said first coupler antenna to a second antenna mounted on the outside of said rf restricted environment through a computer controlled circuit arranged therebetween;

wirelessly connecting said first coupler antenna with said radiative antenna of said personal communication device within said rf restricted environment;

monitoring communications [said wireless connection between said coupler antenna and said radiative antenna] of said personal communication device at any point between said first coupler antenna and said second antenna; and

billing for use of said personal communication device within said rf restricted environment.

Allowable Subject Matter

2. Claims 16-22, 26-39 and 41-44 are allowed.

3. The following is an examiner's statement of reasons for allowance:

Regarding claims, 16, 33, 37 and 39 the applicant has overcome the double patenting rejections by the filing of a terminal disclaimer. Moreover, no additional prior art have been discovered that would anticipate or render the claims obvious. Therefore, the applicant's inventions of claims, 16, 33, 37 and 39 comprise a unique combination of subject matter that is neither taught nor suggested by the prior art.

Regarding claim 26, the applicant includes the subject matter of a method for the permitting use of and for the monitoring of communication of a personal communication device arranged within an rf resistant structure, said method including the use of a further circuit within said rf resistant structure, said personal communication device having an externally radiative antenna, said method comprising the steps of: arranging at least one first ungrounded capacitive coupling antenna in said rf resistant structure so

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as to be in a spaced apart relationship with respect to said externally radiative antenna of said personal communication device to permit radio frequency communication therebetween; connecting said coupling antenna in said rf resistant structure to said further circuit in said rf resistant structure; connecting a signal transmission monitoring computer to said further circuit for collecting personal communication device user information; connecting said further circuit to a second antenna outside of said rf resistant structure; arranging a personal communication device within said rf resistant structure so that said externally radiative antenna of said personal communication device is spaced apart from said coupling antenna within said rf structure; energizing said personal communication device to permit communication through said further circuit and said second antenna arranged outside of said rf resistant structure; and monitoring use of said personal communication device within said rf resistant structure. Specifically, the limitations of, connecting a signal transmission monitoring computer to said further circuit for collecting personal communication device user information and monitoring use of said personal communication device within said rf resistant structure, when considered with the remaining limitations, comprise a unique combination of subject matter that is neither taught nor suggested by the prior art.

Regarding claim 41, the applicant includes the subject matter of a method of providing wireless communication to a personal communication device in an rf restricted environment, said personal communication device having a radiative antenna, said method comprising; providing a personal communication device with a radiative antenna; providing a first coupler antenna within said rf restricted environment;

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connecting said first coupler antenna to a second antenna mounted on the outside of said rf restricted environment through a computer controlled circuit arranged therebetween; wirelessly connecting said first coupler antenna with said radiative antenna of said personal communication device within said rf restricted environment; monitoring communications of said personal communication device at any point between said first coupler antenna and said second antenna; and billing for use of said personal communication device within said rf restricted environment. Specifically, the limitations of, monitoring communications of a personal communication device provided within a RF restricted environment, at any point between a coupler antenna within said RF restricted environment and a second antenna outside said RF restricted environment, to bill for the use of said personal communication device within said RF restricted environment, comprise a unique combination of subject matter that is neither taught nor suggested by the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

GOLDSTINE (US 2,257,094 A)

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BARNES et al (US 5,040,37 A)

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond B. Persino whose telephone number is (703) 308-7528. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on (703) 308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Raymond B. Persino *RP*
Examiner
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10/1/04
LESTER G. KINCAID
PRIMARY EXAMINER